

**REMARKS/ARGUMENTS**

The allowance of claims 1-11 is acknowledged with appreciation. The examiner will note from the above that claims 12-15 are being canceled by this amendment. With the above amendment to claim 16, Applicants submit that claims 16-18 are allowable in addition to claims 1-11 and reconsideration of the application on this basis is respectfully requested.

Support for the dissolving of the dead polymer and the initiator in the reactive plasticizer is found in the specification as filed at page 16, lines 23-25, and page 18, lines 21-2. No new matter is presented by this amendment.

One of the features of the present invention that is recited in claim 16 and not disclosed in, nor obvious from the disclosure of, the Nakatsukasa et al. reference is the formation of a semi-solid composition and the forming of the semi-solid composition into a pre-form prior to molding. Pre-forms are described in detail in the instant specification at page 13, lines 12-30. A pre-form is a partially cast form of the material that holds its shape during storage and is then retrieved and shaped further in the molding process. The processes disclosed by Nakatsukasa involve forming the liquid polymerizable composition directly into a resin layer by extrusion or pressing. A description appears at column 8, lines 48 et seq. of the reference, and is repeated in the examples. This description does not suggest the inclusion of a pre-form stage.

The Ishikawa et al. reference likewise fails to disclose or suggest the preliminary formation of a pre-form prior to molding. In fact, there is no description in this reference of how the rubber composition is handled prior to being molded into a tire tread, other than by mixing in a pressurized kneader – see column 9, lines 36-46, and column 30, lines 38-53. No pre-forms are disclosed or suggested.

The process disclosed by Muskat in the third and final reference cited in the Office Action is one that is limited to the formation of a heterogeneous composition prior to curing. In particular, the reference stresses that the polyvinyl chloride copolymer, which is the counterpart to the dead polymer of the present invention, must be insoluble in the reactive plasticizer to prevent the composition from degenerating into a “crumbly mass.” See column 3, lines 28-45. This of course is the antithesis of the process of claim 16 of the present invention which requires

that the dead polymer be dissolved in the reactive plasticizer. Clearly, the Muskat disclosure is addressing an entirely different process and material and neither anticipates the present invention nor renders the invention obvious.

For these reasons, reconsideration of the present application is respectfully requested. Should any matters remain that can be resolved by a conference with Applicants' attorney, the examiner is encouraged to telephone the undersigned at 415-576-0200.

Respectfully submitted,



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